



Atty. Dkt. No.: 087147/0437

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tamura NORIKAZU, *et al.*
Title: PHARMACEUTICAL COMPOSITION
Appln. No.: 09/551,546
Filed April 18, 2000
Examiner: R. Travers
Art Unit: 1617

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REQUEST FOR RECONSIDERATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The following is a response to the outstanding Office Action mailed on October 23, 2001.

REMARKS

Claims 20 and 22-36 are pending.

Reconsideration of the rejections made in the outstanding Office Action is respectfully requested in view of the following remarks.

The specification has been objected to and claims 20, 22-31, and 33 have been rejected under the first paragraph of 35 U.S.C. 112 for alleged lack of enablement. The rejection is respectfully traversed.

The rejection correctly points out the eight *Forman* factors used to assess enablement. However, the rejection has assessed them incorrectly in light of the facts and evidence pertinent to the presently claimed invention. The presently claimed invention is a selection invention where certain individual pharmacologically active compounds are used